



ROPE & GRAY LLP  
 ONE INTERNATIONAL PLACE BOSTON, MA 02110-2624 617-951-7000 F 617 951-7050  
 BOSTON NEW YORK PALO ALTO SAN FRANCISCO WASHINGTON, DC [www.ropegray.com](http://www.ropegray.com)

March 23, 2005

Lesley F. Wolf  
 (617) 951-7597  
 lwolf@ropesgray.com

**BY FACSIMILE**

Kevin S. Ueland  
 Kirkland & Ellis LLP  
 200 East Randolph Drive  
 Chicago, IL 60601

Re: *Braun v. Rayovac*

Dear Kevin:

I write in order to follow up on the telephone conference of March 21, 2005.

First, as agreed during that conference, we will produce Mr. Braun and Dr. Pahl for depositions in Germany on April 28 and 29, 2005. Braun has secured their cooperation, and it will not be necessary to use the Hague Convention to secure their attendance. Braun is also attempting to locate Gilbert Greaves who is no longer employed by Braun, and we will advise you as soon as possible regarding his willingness to appear and his availability. As we have previously stated, we have confirmed the availability of Jurgen Hoser and any other 30(b)(6) witnesses for April 28 through May 4, 2005, in Germany and believe that the most efficient course of discovery is to hold those depositions during that time. Norbert Smetana is also available in Germany during the same period. If Rayovac insists on having Boston-based depositions of the 30(b)(6) designees and Mr. Hoser, we will accommodate this request, and make these witnesses available after the depositions are conducted in Germany. If there are other individuals you believe you are likely to depose, it will greatly assist in scheduling and promote efficiency if you let us know as soon as possible.

Second, Gillette sales and marketing data was produced as a part of Braun's response to Rayovac's First Request for Production of Documents. Responsive documents include, but are not limited to, Bates numbers B00862 through B00922.

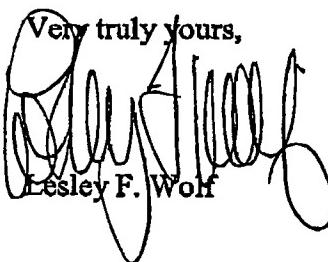
Third, Braun has produced the Fish & Richardson files. These include, but are not limited to, the prosecution histories, both United States and foreign, for the patents at issue, as well as any others called for by Rayovac's Request For Production of Documents and the subpoena and are readily identifiable within the production. Any documents withheld on the basis of privilege were included on Braun's privilege log.

Kevin S. Ueland

- 2 -

March 23, 2005

Fourth, regarding our infringement position, Braun will supplement in due course, consistent with my letter of March 21, 2005 to Jim Shimota, and with our obligations under the Federal Rules of Civil Procedure. The same extends to our responses to Interrogatories 17, 18, and 19. We assume that Rayovac will also abide by its obligations to supplement according to the Rules.

Very truly yours,  
  
Lesley F. Wolf

cc: Dalila Argaez Wendlandt